

Notes for File

NSEC 177/1

THE WHITE HOUSE
WASHINGTON

254.

January 15, 1962

MEMORANDUM FOR MR. BUNDY:

Enclosed is the draft directive from the President to the Director of Central Intelligence which I discussed with you on January 11.

The draft directive was approved by the Attorney General on January 12, based on a memorandum of analysis (attached) prepared by Assistant Attorney General Katzenbach. The draft directive had been approved earlier by the Secretaries of State and Defense.

It is my understanding from the staff of the Budget Bureau that the Director of the Budget will suggest certain changes in the draft to you. In essence, his suggested changes involve deletion of the phrases which I have bracketed in the draft directive. It is my view that Budget's suggestions are sound. Accordingly it is recommended that the draft directive, as revised by Budget, be submitted to the President for approval at an early date. Mr. McCone is anxious for the directive to be approved and issued prior to his confirmation hearing on January 18.

J. Patrick Coyne
J. Patrick Coyne

Addendum:

Because Mr. McCone is out of the City, I have not discussed with him the changes suggested by Budget. If you wish, I will discuss them with him when he returns to Washington tomorrow.

JPC

Enclosures

Mr. Bundy - see my memo of 1/16/62
for final revision
Jm

BEST AVAILABLE COPY

NSEC 177/2

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: Draft Presidential Memorandum to Director of Central Intelligence on his duties.

As you requested, I have examined the attached draft memorandum from the President to the Director of Central Intelligence and I believe that it does not contain any legal problems.

This draft is a revised version which was forwarded by Mr. McCone's explanatory memorandum of January 11th, also attached. The revised version is exactly the same as the previous version which you sent me, except that the following sentence has been added at the end of the first paragraph:

"In fulfillment of this task I shall expect you to work closely with the heads of all departments and agencies having responsibilities in the foreign intelligence field."

Mr. McCone's memorandum explains that the above sentence was added to meet the State Department's fears that the President's memorandum might interfere with its statutory responsibilities. I do not believe that a Presidential memorandum of this type, in either the revised or the previous versions, is intended to or does deprive any Department of its statutory responsibilities.

The memorandum outlines in general terms the responsibilities of the Director with respect to the federal government's foreign intelligence activities, and describes the Director's relationships with the President, the National Security Council, and other governmental organizations and officials concerned with these activities.

The memorandum, in my opinion, is within the statutory authority of the President as head of the National Security Council

BEST AVAILABLE COPY

UNCLASSIFIED

NSEC 177/3

(50 U.S.C. § 402), and is consistent with the statutory organization and functions of the Central Intelligence Agency, which is under the Council (50 U.S.C. § 403 at seq.).

Nicholas deB. Katzenbach
Assistant Attorney General
Office of Legal Counsel

Attachments

- 2 -

UNCLASSIFIED